



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Fifth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10199 of 2015

ARULSELVAM

... PETITIONER(S) / ACCUSED
RANK NOT KNOWN

Vs

STATE REP BY::THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION, MADURAI DT,
CRIME NO.75 OF 2015

... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S.S.DEVASENA Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

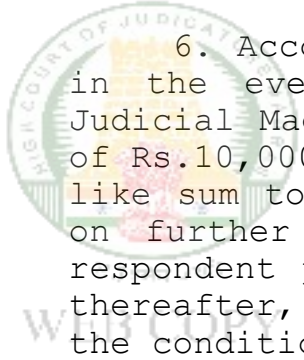
The petitioner, who is the sole accused in Crime No.75 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 380 and 506(ii) IPC and hence, seeks anticipatory bail.

2.The case of the prosecution is that the accused have stolen twelve grams of gold necklace of the defacto complainant.

3.The learned counsel for the petitioner has submitted that the defacto complainant and the petitioner are neighbours and they are close friends. The petitioner is the gold smith and the defacto complainant used to give gold necklace and other articles for selling and one gold necklace given by the defacto complainant was sold and the entire sale consideration was given to the defacto complainant and after a lapse of one year, a complaint is given alleging that the value of the jewel was not given to the defacto complainant. He would further submit that the petitioner is an innocent person and he has been falsely implicated in this case.

4.On instruction, the learned Government Advocate(Crl.side) submitted that the petitioner and the defacto complainant are neighbours and they are close friends and the petitioner had no bad antecedents.

5. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.VI, Madurai on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter, as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
25/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE
NO. VI MADURAI

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI

3 THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION, MADURAI DT,

4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

1. CC to M/S.S.DEVASENA Advocate SR.No.33784

DM 29 JUNE 15

ORDER IN
CRL OP(MD) No.10199 of 2015
Date :25/06/2015

2P:6C